

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: James F. Aaron

Serial No.: 10/824,265

Filed: April 14, 2004

Group Art Unit: 3679

Examiner: Ernesto Garcia

Docket No: 275143.100

HEAVY-DUTY MAT PANEL
CONNECTOR AND SYSTEM FOR
CONNECTING MAT PANELS

TRANSMITTAL LETTER

March 17, 2008

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

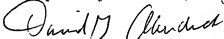
Sir:

Enclosed are a Transmittal Form (1 pg.); a Petition To Make Special (5 pps.); an Express Mail Certification (1 pg); and a Return Receipt Postcard.

Please send all correspondence in connection with this application to Meyer, Unkovic & Scott LLP, 535 Smithfield Street, 1300 Oliver Building, Pittsburgh, PA 15222.

Please be authorized to charge any fees and or credit any overpayments to deposit account 50-3325. The below-signed individual is an authorized user of said account.

Respectfully submitted,


David G. Oberdick, Esquire
Reg. No. 39,527

Meyer, Unkovic & Scott, LLP
1300 Oliver Building
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/824,265
Filing Date	April 14, 2004
First Named Inventor	James F. Aaron
Art Unit	3679
Examiner Name	Ernesto Garcia
Attorney Docket Number	275143.100

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

Remarks

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
postcard; Express Mail Certification

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name
Meyer Unkovic & Scott

Signature

Printed name

David G. Oberdick

Date

Reg. No.

39,527

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

David G. Oberdick

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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VIA EXPRESS MAIL

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PETITION TO MAKE SPECIAL

Applicant respectfully submits this Petition to Make Special, pursuant to 37 C.F.R. 1.102(d), stating as follows:

1. Applicant filed the above patent application on his invention on April 14, 2004.
2. Applicant's invention relates to a heavy-duty mat panel connector and a system for connecting mat panels.
3. As reflected in the documents attached hereto as Exhibit A, there is an infringing device or product actually on the market or method in use. Specifically, Signature Fencing & Flooring Systems, LLC., f/k/a Signature Systems, Inc. ("Signature"), a former dealer for and current competitor of the Applicant, is selling an

infringing device and system. Exhibit A is page 6 of Signature's product brochure. At page 6 of this brochure, Signature describes accessories for its DuraDeck product, including "Duralinks." These links are the same as the link products and system claimed in Applicant's patent application. Indeed, the DuraDeck mat product, in general, is a copy of the Applicant's product, as is demonstrated by comparing the Signature brochure to the Applicant's brochure attached hereto as Exhibit B (including Applicant's Alturn-link product).


4. A rigid comparison of the alleged infringing devices has been made with the claims of the application and, in the opinion of the undersigned, the claims are unquestionably infringed.

5. Applicant has made a careful and thorough search of the prior art and has good knowledge of the pertinent prior art. Applicant, through his prior art search, has not found any references closely related to the subject matter encompassed by the claims of the present invention. The Examiner has indicated that, subject to identified corrections, certain of the claims in the pending application are allowable. The Applicant has corrected these identified claims.

6. Applicant therefore respectfully requests that, because of Signature's infringement of the present invention, the present application be made special and advanced out of turn for expedited examination pursuant to 37 C.F.R. 1.102(d).

7. Please be authorized to charge any fees and or credit any overpayments to deposit account 50-3325. The below-signed individual is an authorized user of said account.

Respectfully submitted,

By: 
David G. Oberdick, Esquire
Registration No. 39,527

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(412) 456-2881

Attorney of Record for Applicant

TESTIMONIALS

"This roadway system has changed my business efficiency. No longer needing to rent track machines and 4x4 pickups. I can now back my loaded truck right out to the site on the beach. This saves me payroll and additional rental expenses, in turn giving me a greater profit per event."

Doug Van Meter,
Rental City
Vineland, NJ



"Everyone who sees the decking wants to know where we got it...architects, landscape designers and, of course, the Chesapeake Bay Preservation Act Program - who required something to be used as a temporary roadway during construction. Thanks for all your help. We will be spreading the word."

Victor St. John III,
Benson Builders
Virginia Beach, VA



COMPARE DURADECK TO PLYWOOD

	DuraDeck	Plywood
Absorbs water	NO	YES
Can splinter	NO	YES
Can rot or be eaten by termites	NO	YES
Warp/s when wet	NO	YES
Contains Arsenic	NO	POSSIBLE
Contains recycled content	YES	NO
Solid and uniform construction	YES	NO
Treaded track on surface	YES	NO
Integrated connection system	YES	NO
May be used for other applications i.e. if stolen has other uses!	NO	YES
Gets Heavier when wet	NO	YES
Loses strength when wet	NO	YES

DuraDeck is clearly the preferred choice over plywood and will save you money and headache over the long term.

DURADECK ACCESSORIES

CONNECTOR LINKS

Signature offers 4 different connection systems to meet your specific needs. We offer 2- and 4-way metal links and 2- and 4-way plastic links, depending on your needs.



DURALINK METAL LINKS

Our DuraLink metal links are formed using 3/4" x 1/4" flat steel and are available in 2- and 4-way versions to connect either 2 mats together end-to-end or 4 mats together at an intersection. Large continuous roadways can be created easily for work pad extensions or turning areas can be added of any size. Use DuraLink for heavy-duty loads and for long-term projects on uneven or softer ground surfaces.

PLASTILINK PLASTIC LINKS

Our PlastiLink plastic links are injection molded in nylon for added strength and allow sections to be connected quickly for lower weight requirement applications. They are available in 2- and 4-way versions to connect 2 mats or 4 mats to each other as required. PlastiLink's will not rust or corrode and can be used continuously in wet areas. Use PlastiLink for lighter loads on more firm sub-surfaces.

DURAHOOK DRAG HOOKS

To speed the installation of DuraDeck, we recommend our DuraHook™ drag hook. This accessory can be inserted into pre-molded connector holes on each panel, allowing sections to be easily dragged into position.

HOLE PLUGS™

Signature offers molded plastic Hole Plugs to fill unused connector holes for special events and other pedestrian access applications. Hole Plugs eliminate potential tripping hazards - especially when mats are down for upscale events - Hole Plugs will prevent women's high heels from getting caught in the holes.

METAL DURAPALLETS™

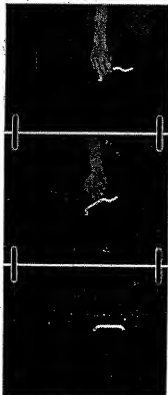
Signature offers extra large metal pallets for the easy transport of DuraDeck mats. Simply band sections to the DuraPallet for easy forklift handling, loading and unloading, and storage. Each DuraPallet is constructed from 1.25" square-tube metal and can hold up to 50 DuraDeck sheets.



AlturnaMATS

Turn-A-Links ▶

Turn-A-Links (patent pending) are a convenient way to turn AlturnaMats into a semi-permanent yet still portable roadway system. Our customers have asked for a mat connecting system and here it is. Single links connect two mats together end-to-end or side-to-side. Double links connect four mats together at the common corner. Turn-A-Links are especially useful when working in harsh site conditions or when you need to spend more than one day at a job site. Make your portable road as long or as wide as you need it with round links! Additional uses to date include: equipment storage, work site approaches, temporary construction driveways, staging areas, or work platforms. Turn-A-Links work on any size mat! Flat links designed for VersaMat applications.



* Turn-A-Links shown white for illustrative purposes only.

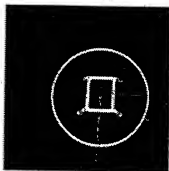
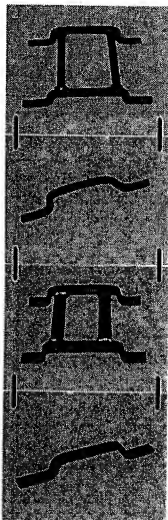
Installation Instructions:

Installation of single Turn-A-Link

- 1.) Lay one mat flat on the ground. Insert short end of a single Turn-A-Link down through each corner hole on the narrow end. Slide ends of each Turn-A-Link under the mat.
- 2.) Turn second mat on narrow end and slide other end of Turn-A-Link through corresponding holes. Lay second mat down flat, end to end with first mat. You now have two mats connected together with two single Turn-A-Links, 4' end to end, to form a track 16' long. (You also can connect two mats side to side if you want a wider track.)
- 3.) Repeat step two to make a track of unlimited length.

Installation of double Turn-A-Link

- 1.) Lay two mats flat on the ground. Insert short ends of a double Turn-A-Links in corresponding corner holes. Insert short ends of single Turn-A-Links in the outside edges. Slide ends of the double and single Turn-A-Links under the mat.
- 2.) Turn two mats on narrow ends, side by side and slide other ends of double Turn-A-Link and two single Turn-A-Links through corresponding holes. Lay both mats down flat, end to end with first mats. You now have four mats connected together at the common corners, in the center, and at the outside corners to form a working area.
- 3.) Repeat step two to make a track of unlimited length and width.



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EXPRESS MAIL CERTIFICATION

37 C.F.R. §1.10

Express Mail Label No.: EV 835212577 US

Date of Deposit: March 17, 2008

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Lisa Ann Mikula

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)